

Public Notice

U.S. Army Corps of Engineers, Norfolk District

CENAO-REG
NAO-2007-2803

January 17, 2008

JOINT FEDERAL/STATE PUBLIC NOTICE

The District Engineer has received a prospectus to establish a compensatory mitigation bank for Federal and State permits as described below:

BANK SPONSOR:

Lucketts Road LLC
c/o ECS Mid-Atlantic LLC
Attn: Mr. Avi Sareen
14026 Thunderbolt Place, Suite 100
Chantilly, VA 20151

WATERWAY AND LOCATION OF THE PROPOSED WORK: The proposed stream and wetland mitigation bank is located on an approximately 325-acre parcel northeast of Lucketts in Loudoun County, Virginia. The project is called Red Hill Farm Mitigation Bank. The work will occur in Clarks Run and its tributaries.

PROPOSED WORK AND PURPOSE: The bank sponsor proposes to sponsor and establish a compensatory mitigation banking agreement. A copy of the prospectus is enclosed.

The bank will be established to provide mitigation to compensate for impacts to wetlands and streams within the specified service area. The proposed service area is Hydrologic Unit Codes 02070008 and 02070010.

AUTHORITY: Permits may be required pursuant to Sections 401 and 404 of the Clean Water Act (Public Law 95-217), and Title 62.1 of the Code of Virginia. This Public Notice is recommended pursuant to Federal Guidance for the Establishment, Use and Operation of Mitigation Banks (60 Federal Register Number 228).

COMMENT PERIOD: Comments should be made in writing to Mr. Ron Stouffer at U.S. Army Corps of Engineers – Norfolk District, Northern Virginia Field Office, 18139 Triangle Plaza, Suite 213, Dumfries, VA 22026, and should arrive by close of business on **February 19, 2008**.

FOR THE DISTRICT COMMANDER:

Keith B. Lockwood
Chief, Northern Virginia
Regulatory Section

Enclosures



PROSPECTUS

PROPOSED RED HILL FARM MITIGATION BANK

LOUDOUN COUNTY, VIRGINIA

ECS PROJECT NO. 13426

Sponsor Information:
Lucketts Road, LLC
909 Fairway Drive, N.E.
Vienna, Virginia 22180

Prepared by/Authorized Agent:
ECS Mid-Atlantic, LLC
14026 Thunderbolt Place
Suite 100
Chantilly, Virginia 20151
(703) 471-8400

DECEMBER 12, 2007

I. INTRODUCTION

Lucketts Road, LLC (hereinafter, the Sponsor) proposes to establish, maintain, and sponsor the Red Hill Farm Mitigation Bank (hereinafter, the Bank) to be located in Loudoun County, Virginia. The Bank consists of three contiguous parcels totaling approximately 325-acres situated in the northwestern quadrant of the intersection of Lucketts Road and St. Clair Lane in Lucketts, Virginia. The parcels are further identified by Loudoun County GPINs: 136-39-6417, 136-19-3629, and 136-18-5260. All three parcels are located within the Clark Run watershed which is a component of the Potomac River watershed. The purpose of the Bank will be to provide compensatory stream and wetland mitigation credits designed to offset the authorized unavoidable impacts within the proposed geographic service area (GSA) of the Bank. Specific HUCs within the primary GSA are discussed in Section V.

Stream mitigation credits will be established through the enhancement of existing streams, livestock exclusion, protection and creation of Protected Species habitat, and preservation and enhancement of adjacent upland buffers. Wetland mitigation credits will be established through the preservation and enhancement of adjacent forested wetland and upland buffers. The Sponsor currently controls the entire Bank site and will be responsible for a monitoring and maintenance period following the construction of the mitigation areas to ensure success.

The Mitigation Banking Instrument (MBI) and the development and operation of the Bank will be in accordance with all applicable State and Federal statutes, regulations, and guidance. This includes Code of Virginia 33.1-223.2:1 (Wetlands Mitigation Banking), Virginia Water Protection Permit (VWPP) regulations (9 VAC 25-210-10 et seq.), and the *Federal Guidance for the Establishment, Use and Operation of Mitigation Banks* (60 CFR, pages 58605-58614, 1995).

II. LOCATION AND CURRENT STATE OF THE BANK

The Red Hill Farm Bank consists of three contiguous parcels totaling approximately 325-acres situated in the northwestern quadrant of the intersection of Lucketts Road and St. Clair Lane in Lucketts, Virginia (Figure 1-1). The parcels are further identified by Loudoun County GPINs: 136-39-6417, 136-19-3629, and 136-18-5260. The site consists primarily of moderate slopes and is within the Clark Run drainage basin (Figure 1-2).

The entire project site is currently an active farm with open pasture used for crop production and the grazing of livestock. The proposed mitigation areas are located in the western and northwestern portions of the project site along the tributaries to Clark Run, the floodplains of Clark Run, and Clark Run itself. The majority of the site is cleared and in active agriculture production with some small pockets of trees and forested areas found primarily along the aforementioned drainages. The Bank site is, for the most part, a surface water driven system.

III. GOALS OF THE BANK

The Bank will provide compensatory stream and wetland mitigation credits designed to offset the authorized unavoidable impacts within the proposed geographic service area of the Bank. The Bank will also serve to preserve and enhance the ecological health of the watersheds within which the Bank will operate. These goals will be accomplished by enhancing degraded streams and agricultural fields located on the Bank site to higher value natural aquatic and upland resource areas. These areas will be designed to provide for the replacement of the chemical, physical and biological functions of wetlands and other aquatic resources which are lost as a result of authorized impacts.

IV. FEASIBILITY AND BASELINE DATA

Prior to the preparation of this Prospectus and the decision to pursue development of the Bank, the Sponsor conducted a feasibility investigation for the site to gather baseline data and to assess the potential for supporting wetland and stream mitigation. The feasibility study included the following:

- Wetlands Delineation
- Soils Investigation (Geotechnical Study)
- Stream Assessment (Unified Stream Methodology)
- Vegetation Survey

Based on the results of these investigations, preliminary data suggests that the enhancement/preservation of streams are feasible on this Bank site. All relevant data, analyses, and engineering calculations will be provided to the Mitigation Bank Review Team (MBRT) as part of the MBI approval process.

V. GEOGRAPHIC SERVICE AREA

Service area for the proposed Bank site will be included in the Mitigation Bank Development Plan (MBDP) and will be consistent with current local, state, and federal regulations. The Bank site is located within the Clark Run watershed which flows directly into the Potomac River. The current Bank site is located in the Middle Potomac - Catoctin Hydrologic Unit (02070008) which includes portions of Fairfax, Prince William, Fauquier, and Loudoun Counties. The proposed service area for the Bank includes HUC 02070008 and 02070010.

VI. PLANNED PRE-APPLICATION PROCESS

The Sponsor plans to meet with the MBRT prior to the submission of a MBI for the Bank to discuss plans for the Bank. This Prospectus will serve as the basis for these discussions. The Sponsor also welcomes the opportunity to meet with any other interested parties to discuss the plans for the proposed Bank.

VII. PERMITS

Development of the Bank, including all construction activities, will be performed to avoid and minimize temporary and permanent impacts to the environment to the maximum extent practicable. With the exception of one stream crossing, impacts to existing wetlands and waters of the U.S. should be avoided. Temporary impacts to streams may be necessary for the implementation of simple water control structures, hydrologic barriers, etc. The Sponsor, as part of the Bank approval process, will obtain any necessary Clean Water Act (CWA) and/or VWPPT permits.

VIII. BANK DEVELOPMENT

Development of the proposed Bank will involve stream mitigation using riparian buffer restoration, stream enhancement, and preservation along with wetland creation and/or enhancement within the project site area.

The Red Hill Farm mitigation site consists of approximately 200-acres which will provide for the enhancement, preservation, and restoration of approximately 10,000-linear feet of intermittent and perennial stream.

The Sponsor will develop a MBI for the Bank for approval by the MBRT which will include a detailed Mitigation Bank Development Plan (MBDP) that will present clear goals and objectives for the Bank site. The MBDP will consist of details for the Bank site based on site-specific data including detailed soil and geotechnical information and existing wetland and stream channel assessments. Stream and wetland mitigation credit will be determined using an assessment approved by the MBRT.

IX. MITIGATION METHODS

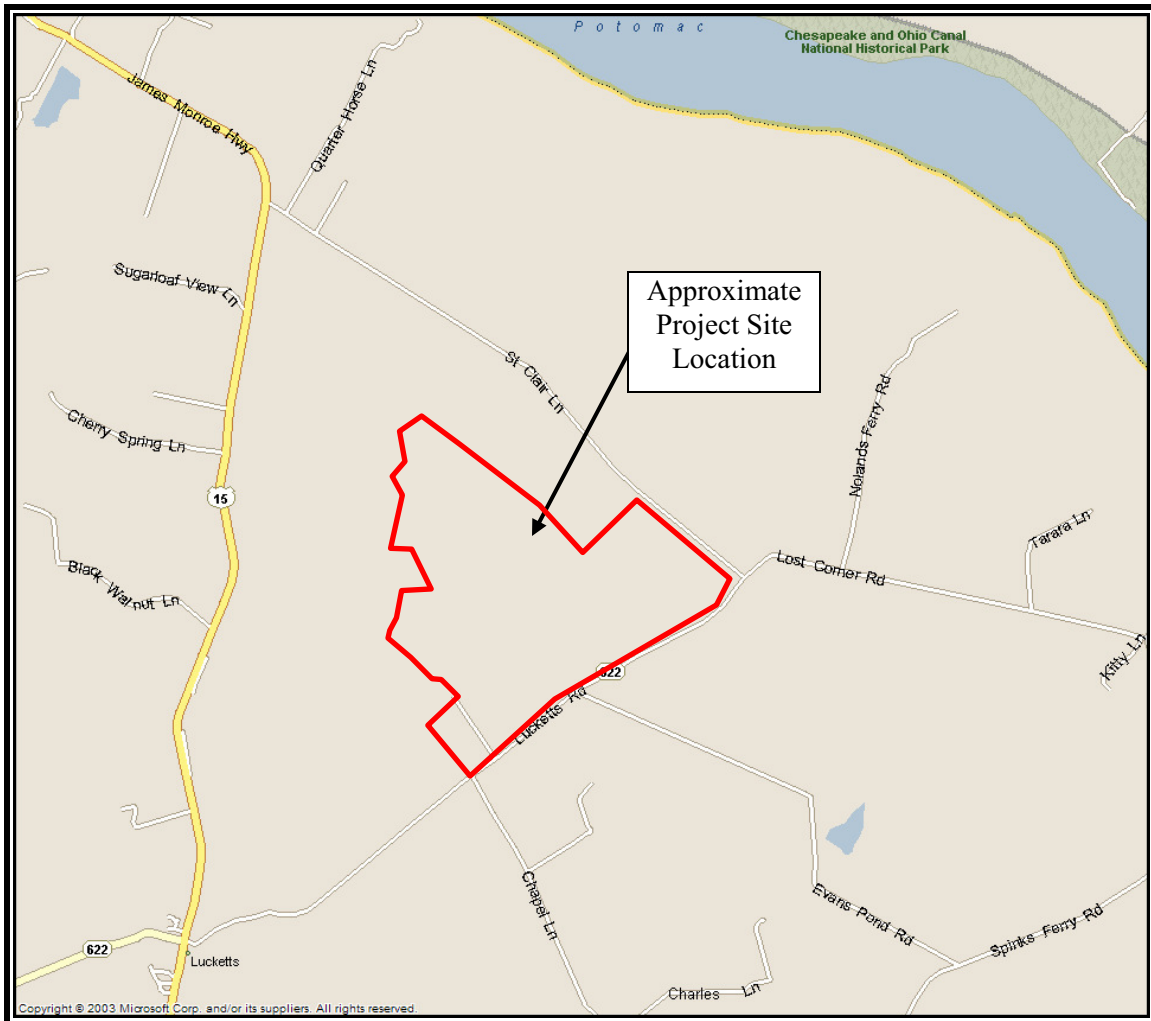
The purpose of the Bank will be to provide compensatory stream and wetland mitigation credits designed to offset the authorized unavoidable impacts within the proposed geographic service area of the Bank. This goal will be achieved by enhancing and preserving stream channels through the establishment and/or preservation of forested riparian buffers and removal of detrimental land use activities (i.e.: livestock grazing and crop production) in riparian corridors.

X. MAINTENANCE, MONITORING AND PERFORMANCE CRITERIA

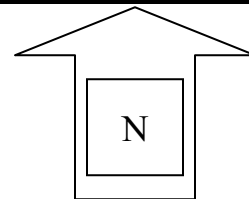
Following construction activities the Sponsor will implement a monitoring plan to ensure that the hydrology, vegetation, and success criteria outlined in the MBDP are met. The monitoring plan will be detailed in the final MBI for the Bank and will be in accordance with Section II.E. of the Federal Banking Guidance. Determinations regarding specific performance criteria, other long-term monitoring and/or management activities, the operational life of the Bank, potential remedial actions and financial assurances will also be developed and included in the final MBI.

XI. LONG-TERM STEWARDSHIP

The Bank site is currently under a Conservation Easement which will protect all three parcels in perpetuity from future development. The Easement is held between Lucketts Road, LLC and The Land Trust of Virginia and is dated August 28, 2006. This Easement can be modified to accommodate any changes and/or recommendations from the MBRT. A copy of the Easement will be included in the MBDP for this site.



Not to Scale



**PROPOSED MITIGATION
BANK**

RED HILL FARM

LOUDOUN COUNTY, VIRGINIA

DECEMBER 12, 2007

ECS Mid-Atlantic, LLC
14026 Thunderbolt Pl.,
Suite 100
Chantilly, VA 20151

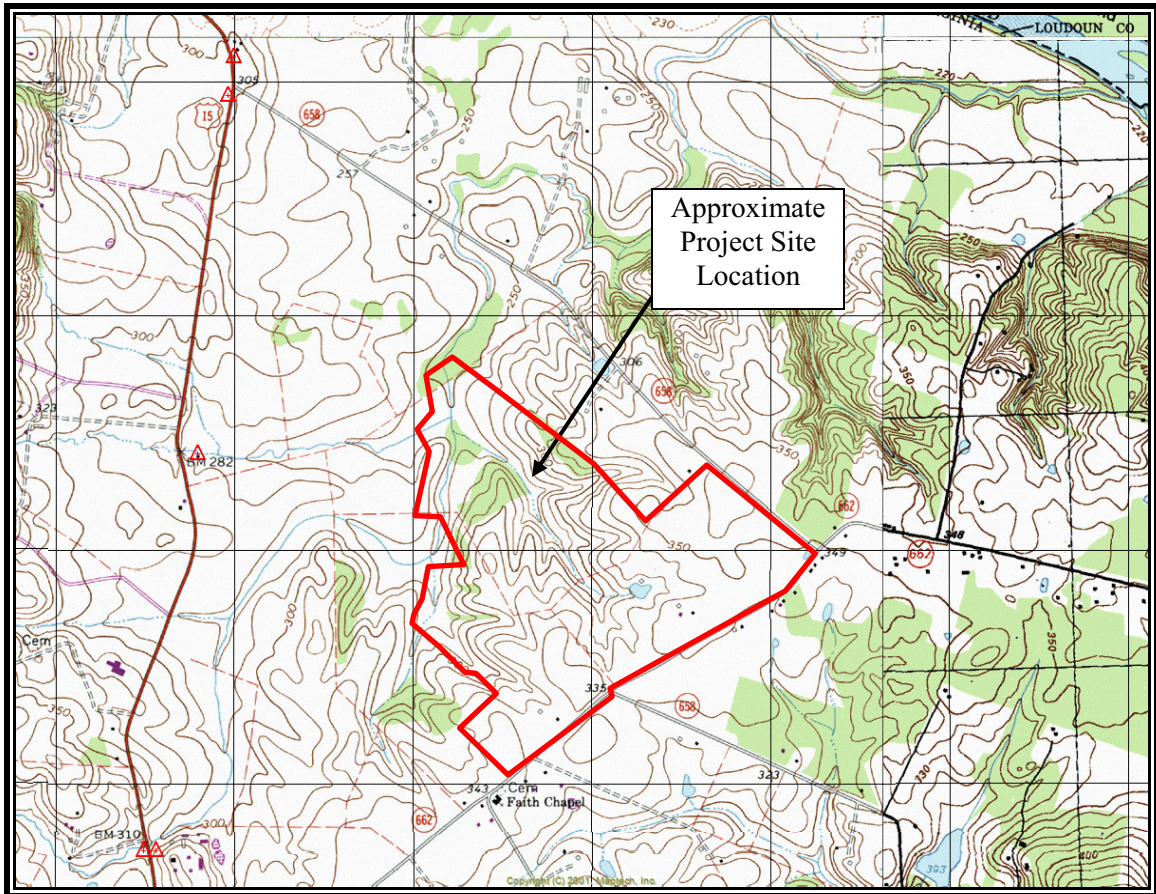


FIGURE 1-1

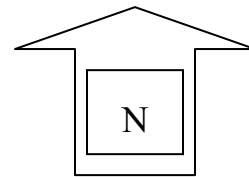
SITE LOCATION MAP

MICROSOFT MAPPOINT

ECS PROJECT NO. 13426



Not to Scale



**PROPOSED MITIGATION
BANK**

**RED HILL FARM
LOUDOUN COUNTY, VIRGINIA**

DECEMBER 12, 2007

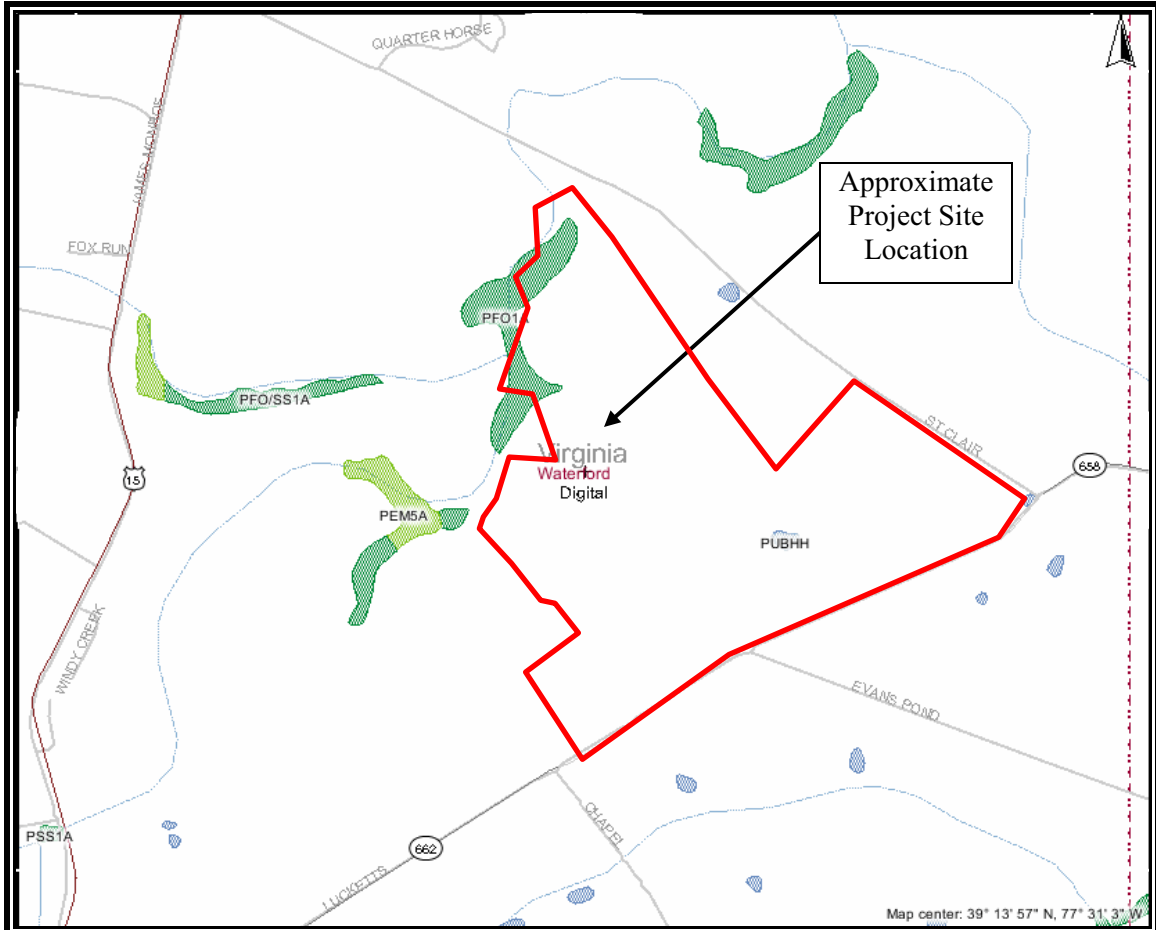
**ECS Mid-Atlantic,
LLC
14026 Thunderbolt Pl.,
Suite 100
Chantilly, VA 20151**



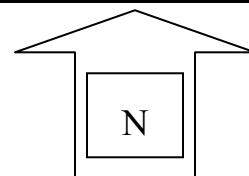
**Figure 1-2
USGS TOPOGRAPHIC MAP**

**WATERFORD
QUADRANGLE
REVISED 1984**

ECS PROJECT NO. 13426



Not to Scale



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Figure 1-4

**NATIONAL WETLAND
INVENTORY MAP**

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